

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 05-cr-1849 JH

MANUEL GIL,

Defendant.

UNOPPOSED MOTION CONTINUE SENTENCING

COMES NOW the Defendant, MANUEL VELASQUEZ-GIL, by and through his attorneys, Timothy M. Padilla & Associates, P.C., by Timothy M. Padilla and respectfully motions this Court for an Order continuing the Sentencing in this matter currently set for November 20, 2008. As grounds therefore, counsel states:

1. The Defendant is not in custody, and has been in complete compliance with Pre-Trial Services Probation;
2. That the Pre-Sentence Report for the Defendant has not yet been completed, and it's the Defense's understanding that the Defendant will need to be re-interviewed, by the newly assigned US probation officer;
3. That Counsel for the Defendant, upon receipt of the Pre-Sentence Report, will need additional time in which to review the report and respond, if necessary;
4. That Assistant U.S. Attorney, James Braun, has been contacted, and does not oppose the relief requested in this motion; and

5. That a form of Order will be electronically delivered to the Honorable Judith C. Herrera, via e-mail, jchproposedtext@nmcourt.fed.us for approval.

WHEREFORE Counsel for the Defendant prays that this Court grant this Unopposed Motion to Continue the Sentencing currently scheduled for November 20, 2008, and for any such other relief as the Court deems just and proper.

Respectfully submitted:

/s/ Timothy M. Padilla
Timothy M. Padilla
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I HEREBY CERTIFY that a true and correct copy of the foregoing pleading was filed and delivered electronically through the CM/ECF system to all parties entitled to notice, this 12th day of November, 2008.

/s/ Timothy M. Padilla
Timothy M. Padilla